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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,586	02/23/2004	Daniel J. Picard	SAR100061000	9930

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EXAMINER	
HUNNINGS, TRAVIS R	
ART UNIT	PAPER NUMBER
2612	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/28/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/785,586	PICARD ET AL.	
	Examiner	Art Unit	
	Travis R. Hunnings	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 November 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 February 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 16, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker et al. (Wilker; US Patent 6,859,145) in view of Dunne et al. (Dunne; US Patent 5,642,092).

Regarding claim 1, Wilker discloses *Safety System* that has the following claimed limitations:

The claimed fire exit door hardware having a case for mounting proximate a fire exit door is met by the device of Wilker being used as a configuration in a safety system that can be placed in any number of locations including doors and the safety system being made from any desirable durable material such as metal (col5 29-39);

The claimed control circuit mounted in the fire exit door hardware case is met by the CPU of the safety system that is mounted in a door (col5 29-39 and col6 11-15);

The claimed control circuit including a trigger input adapted for receiving a fire detection signal from a fire detection system is met by the CPU being connected to all of

the electrical elements of the safety system (col6 11-15) and the sensors of the system being temperature, carbon monoxide or smoke sensors, all of which are used in detecting fire situations (col6 18-22) and the sensors sending a signal to the CPU that an emergency condition has occurred so that the CPU may take appropriate action (col6 24-30);

The claimed control circuit including a speaker output and a light source output is met by the CPU being connected to all of the electrical elements of the system and the safety system including both a audible indicator and a light source (col6 11-15 and 31-48);

The claimed light source connected to the light source output for providing a visually locatable indication of the location of the fire exit alert system is met by the light source being connected to the CPU and the light source being a strobe light or flashlight that emits a bright light periodically or continuously (col6 11-15 and 38-48);

The claimed control circuit turning on the light source, retrieving the voice signal from the storage element and repeatedly sending the voice signal to the speaker output upon receipt of the fire detection signal is met by the CPU being connected to all of the electrical elements on the safety system and the sensors being operable to detect emergency conditions and communicate with the CPU to activate any connected indicators including audible indicator which relays any audible communication information such as a recorded message and a light source that is a strobe light that periodically or continuously emits a bright light (col6 11-48).

However, Wilker does not specifically disclose the claimed voice storage element for storing a pre-recorded voice signal co-located with the fire exit door hardware, the voice signal to be audibly broadcast from a location corresponding to the fire exit door hardware, the voice signal including words indicating that an exit is located at the location from which the voice signal is being broadcast or the claimed speaker connected to the speaker output of the control circuit for audibly broadcasting the pre-recorded voice signal allowing the public to determine that a safe exit is located at the source of the audibly locatable signal. Dunne discloses *Evacuation Assistance System* that teaches a device for helping people to evacuate situations such as fires that includes a pre-recorded tape that would have a familiar voice asking the person to "come to and go out the exit" (column 3, lines 14-28). Adding a tape for pre-recorded messages of the type "come to and go out the exit" would increase the overall safety of the system by alerting users to the location of the exit through a familiar voice. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker according to the teachings of Dunne to include a tape for pre-recorded voice messages to be played back when an emergency situation arises.

Regarding claim 16, Wilker and Dunne disclose all of the claimed limitations. The claimed fire exit alert system further including a smoke detector connected to the trigger input of the control circuit is met by the sensor being a smoke sensor (col6 18-22).

Regarding claim 17, Wilker and Dunne disclose all of the claimed limitations. The claimed fire exit alert system further including a heat detector connected to the trigger input of the control circuit is met by the sensor being a temperature sensor (col6 18-22).

Regarding claim 22, the claim is interpreted and rejected as claim 1 stated above.

3. Claims 2-4 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of Haus (US Patent 4,274,084).

Regarding claim 2, Wilker and Dunne disclose all of the claimed limitations except for the claimed control circuit coordinating the repeated voice signal and the light source by flashing the light source when the voice signal is indicating that the source of the voice signal is an exit. Haus discloses *Audio-Visual Signal Circuits* that teaches coordinating audio and visual indications in emergency indicators (col1 7-16). Modifying the CPU of Wilker to coordinate the repeated audio and visual indications would not only provide indication to those with disabilities (hearing or sight impaired individuals) but it would reduce confusion among the people who can both see and hear. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Haus

to coordinate the repeated voice signal and the light source by flashing the light source when the voice signal is indicating that the source of the voice signal is an exit.

Regarding claim 3, the claim is interpreted and rejected as claim 2 stated above. The claimed inclusion of the word "HERE" would have been obvious because the device of Wilker and Dunne allows the playback of any recorded communication information and because the device is being used, especially in an exit-way such as a door, to indicate where an exit exists in an emergency situation, it would have been obvious to want to indicate where the exit is located and the word "HERE" provides that indication.

Regarding claim 4, the claim is interpreted and rejected as claim 2 stated above. The claimed light source being a strobe light is met by the light source of Wilker being a strobe light (col6 38-48).

Regarding claim 23, the claim is interpreted and rejected as claim 2 stated above.

Regarding claim 24, the claim is interpreted and rejected as claim 3 stated above.

Regarding claim 25, the claim is interpreted and rejected as claim 4 stated above.

4. Claims 5-7 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of Watanabe (US Patent 5,140,301).

Regarding claim 5, Wilker and Dunne disclose all of the claimed limitations except for the claimed light source being a laser. Watanabe discloses *Guidance Method And Apparatus In Case Of Emergency Evacuation* that teaches the use of a laser as a light source to guide people to exits during emergency situations (abstract). Wilker discloses the light source being any one of a strobe light, an incandescent light, a fluorescent light, a light emitting diode, a neon light, or the like (Wilker: col6 38-48). Using a laser as taught by Watanabe would allow for more options and still provide the user with good indication of where the location of the exit was during an emergency situation. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Watanabe to use a laser as the light source.

Regarding claim 6, Wilker, Dunne and Watanabe disclose all of the claimed limitations, see rejection to claim 5 stated above. The claimed laser producing a cone having an apex at the fire exit alert system to provide a visual direction guide towards the fire exit alert system is met by the laser being directed from the side of an

emergency exit toward the interior of the building and producing a cone as seen in figure 7 (Watanabe: abstract).

Regarding claim 7, the claim is interpreted and rejected as claim 5 stated above. Wilker discloses the light source(s) being any one from the list shown in the rejection to claim 5 and indicates that there may be a plurality of light source(s) (Wilker: col6 38-48) and it would have been obvious to use multiple light sources to better provide indication and to have a backup light source indicator in case one of the light sources failed.

Regarding claim 26, the claim is interpreted and rejected as claim 5 stated above.

Regarding claim 27, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 28, the claim is interpreted and rejected as claim 7 stated above.

5. Claims 8, 9, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne in view of Watanabe and further in view of Haus.

Regarding claim 8, Wilker, Dunne and Watanabe disclose all of the claimed limitations except for the claimed control circuit coordinating the repeated voice signal and at least one of the light sources by activating at least one of the light sources when the voice signal is indicating that the source of the voice signal is an exit. Haus teaches coordinating audio and visual indications in emergency indicators (col1 7-16). Modifying the CPU of Wilker, Dunne and Watanabe to coordinate the repeated audio and visual indications would not only provide indication to those with disabilities (hearing or sight impaired individuals) but it would reduce confusion among the people who can both see and hear. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker, Dunne and Watanabe according to the teachings of Haus to coordinate the repeated voice signal and the light source by flashing the light source when the voice signal is indicating that the source of the voice signal is an exit.

Regarding claim 9, the claim is interpreted and rejected as claim 8 stated above. The claimed light source being a strobe light is met by the light source of Wilker being a strobe light (col6 38-48).

Regarding claim 29, the claim is interpreted and rejected as claim 8 stated above.

Regarding claim 30, the claim is interpreted and rejected as claim 9 stated above.

6. Claims 10 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of McGregor (US Patent 4,052,720).

Regarding claim 10, Wilker and Dunne disclose all of the claimed limitations except for the claimed control circuit further includes a white noise signal generator, the control circuit sending the white noise signal to the speaker output to produce an additional audibly locatable signal. McGregor discloses *Dynamic Sound Controller And Method Therefor* that teaches using a white noise signal generator with the use of a fire alarm (abstract and column 7, lines 59-61). Using a white noise signal generator would allow for a more recognizable alarm as taught by McGregor and would therefore better alert users to an emergency condition. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of McGregor to include a white noise generator for an audible indicator.

Regarding claim 31, the claim is interpreted and rejected as claim 10 stated above.

7. Claims 11 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne in view of McGregor and further in view of Lee et al. (Lee; US Patent 6,639,512).

Regarding claim 11, Wilker, Dunne and McGregor disclose all of the claimed limitations except for the claimed control circuit alternately sending the white noise signal and the voice signal to the speaker output. Lee discloses *Environmental Warning System* that teaches an audible alarm that alternately emits a recorded voice message and a standard alarm sound (abstract). Modifying the device of Wilker, Dunne and McGregor to alternately send the white noise signal and the recorded message would allow users to better locate the exit from the white noise output and would better understand what the alarm is signaling from the recorded message output, while avoiding the problem of not understanding what the recorded message is saying by playing it at the same time as the white noise output. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker, Dunne and McGregor according to the teachings of Lee to alternately send the white noise signal and the voice signal to the speaker output.

Regarding claim 32, the claim is interpreted and rejected as claim 11 stated above.

8. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of Hunt et al. (Hunt; US Patent 5,816,017).

Regarding claim 12, Wilker and Dunne disclose all of the claimed limitations except for the claimed fire exit door hardware comprising an exit device having a latch for engaging a door frame of a fire exit door. Hunt discloses *Fire Retardant Door And Exit Device For Same* that teaches having a latch for engaging a door frame of a fire exit door as seen in figure 1. Adding a latch for engaging a door frame of the door of Wilker and Dunne would allow the door to remain closed and help prevent the spread of fire until a user wanted to leave through the door. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Hunt to comprise an exit device having a latch for engaging a door frame of a fire exit door.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of Kim (WO 2004/092519 A1).

Regarding claim 13, Wilker and Dunne disclose all of the claimed limitations except for the claimed fire exit door hardware comprising an automatic door closer. Kim discloses *Apparatus For Operating Door To Prevent Spread Of Fire And Method Therefor* that teaches using an automatic door closer to keep a door closed when not in use to prevent the spread of fire (abstract). Modifying the door of Wilker and Dunne to

contain an automatic door closer would allow the door to remain closed and help prevent the spread of fire until a user wanted to leave through the door. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Kim to comprise an exit device having an automatic door closer.

10. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of Andres et al. (Andres; US Patent 6,522,248).

Regarding claim 14, Wilker and Dunne disclose all of the claimed limitations except for the claimed control circuit further including a reset input for receiving a reset signal, the control circuit turning off the light source and the speaker output upon receipt of the reset signal. Andres discloses *Multicondition Detection Apparatus And Method Providing Interleaved Tone And Verbal Warnings* that teaches including a reset input for resetting the alarm device and stopping the audio/visual alarms (col7 13-18). Adding a reset input to the CPU of Wilker and Dunne would allow the users to reset the device when an emergency condition has finished. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Andres to include a reset input for receiving a reset signal, the control circuit turning off the light source and the speaker output upon receipt of the reset signal.

11. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of Edstrom et al. (Edstrom; US Patent 4,422,069).

Regarding claim 15, Wilker and Dunne disclose all of the claimed limitations except for the claimed fire exit alert system further comprising a backup battery for powering the fire exit alert system during a power failure. Edstrom discloses *System For Indicating An Emergency Exit* that teaches using both a main power source and a backup battery source to provide power to the device (abstract). Adding a backup battery source to the device of Wilker and Dunne would allow the device to operate even when the primary power source fails which if the primary power source is AC power would happen more often in emergency situations such as a fire. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Edstrom to further comprise a backup battery for powering the fire exit alert system during a power failure.

12. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Dunne and further in view of Gleason et al. (Gleason; US Patent 5,446,440).

Regarding claim 18, Wilker and Dunne disclose all of the claimed limitations except for the claimed fire exit alert system further including an illuminated exit sign.

Gleason discloses *Emergency Sign And Control Circuit* that teaches an electroluminescent exit sign that is used to indicate the location of an emergency exit (abstract). Adding an electroluminescent sign to the door of Wilker and Dunne would increase the visibility of the device and give users a better indication of the location of the door. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Gleason to add an illuminated exit sign.

Regarding claim 19, Wilker, Dunne and Gleason disclose all of the claimed limitations. The claimed illuminated exit sign comprising an electroluminescent illuminated exit sign is met by the exit sign being an electroluminescent illuminated exit sign (Gleason: abstract). See the rejection to claim 18 stated above.

13. Claims 20 and 21 are again rejected under 35 U.S.C. 103(a) as being unpatentable over Wilker in view of Potter further in view of Watanabe and further in view of Haus for the record.

Regarding claim 20, Wilker discloses the following claimed limitations:

The claimed fire exit door hardware having a case for mounting proximate a fire exit door is met by the device of Wilker being used as a configuration in a safety system that can be placed in any number of locations including doors and the safety system being made from any desirable durable material such as metal (col5 29-39);

The claimed control circuit mounted in the exit device case is met by the CPU of the safety system that is mounted in a door (col5 29-39 and col6 11-15);

The claimed control circuit including a trigger input adapted for receiving a fire detection signal from a fire detection system is met by the CPU being connected to all of the electrical elements of the safety system (col6 11-15) and the sensors of the system being temperature, carbon monoxide or smoke sensors, all of which are used in detecting fire situations (col6 18-22) and the sensors sending a signal to the CPU that an emergency condition has occurred so that the CPU may take appropriate action (col6 24-30);

The claimed control circuit including a speaker output and a first and second light source outputs is met by the CPU being connected to all of the electrical elements of the system and the safety system including both a audible indicator and a light source(s) (col6 11-15 and 31-48);

The claimed speaker connected to the speaker output of the control circuit for broadcasting the pre-recorded voice signal, comprising at least the voice signal, to indicate that the source of the voice signal is an exit is met by the audible indicator being a speaker that is powered by an amplifier and is connected to the CPU to relay any audible communication or information, such as a recorded message (col6 11-15 and 31-37). Because the device of Wilker is used as a safety system in case of emergency situations, such as fires, it would have been obvious to have the prerecorded messages indicate that the source of the voice signal is an exit, especially when the device is stored in an exit device, such as a door;

The claimed light source being a strobe light is met by the light source of Wilker being a strobe light (col6 38-48).

However, Wilker does not specifically disclose the claimed voice storage element for storing a pre-recorded voice signal co-located with the fire exit door hardware, the voice signal to be audibly broadcast from a location corresponding to the fire exit door hardware, the voice signal including words indicating that the voice signal is being broadcast from the location of an exit or the claimed speaker connected to the speaker output of the control circuit for audibly broadcasting the pre-recorded voice signal allowing the public to determine that a safe exit is located at the source of the audibly locatable signal. Dunne discloses *Evacuation Assistance System* that teaches a device for helping people to evacuate situations such as fires that includes a pre-recorded tape that would have a familiar voice asking the person to "come to and go out the exit" (column 3, lines 14-28). Adding a tape for pre-recorded messages of the type "come to and go out the exit" would increase the overall safety of the system by alerting users to the location of the exit through a familiar voice. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker according to the teachings of Dunne to include a tape for pre-recorded voice messages to be played back when an emergency situation arises.

However, Wilker and Dunne do not specifically disclose the claimed control circuit comprising a white noise signal generator. Potter teaches using a white noise signal generator with the use of a smoke alarm (col1 39-48 and col7 3-8). Using a white noise signal generator would allow for a more recognizable alarm as taught by Potter

and would therefore better alert users to an emergency condition. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker and Dunne according to the teachings of Potter to include a white noise generator for an audible indicator and to use the already connected speaker to broadcast the white noise signal.

However, Wilker, Dunne and Potter still do not specifically disclose the claimed laser connected to the second light source output, the laser producing a cone having an apex at the fire exit alert system to provide a visual direction guide towards the fire exit alert system. Watanabe teaches the use of a laser as a light source to guide people to exits during emergency situations (abstract). Wilker discloses the light source being any one of a strobe light, an incandescent light, a fluorescent light, a light emitting diode, a neon light, or the like (Wilker: col6 38-48). The claimed laser producing a cone having an apex at the fire exit alert system to provide a visual direction guide towards the fire exit alert system is met by the laser being directed from the side of an emergency exit toward the interior of the building and producing a cone as seen in figure 7 (Watanabe: abstract). Using a laser as taught by Watanabe would allow for more options and still provide the user with good indication of where the location of the exit was during an emergency situation. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker, Dunne and Potter according to the teachings of Watanabe to use a laser as the light source.

However, Wilker, Dunne, Potter and Watanabe still do not specifically disclose the claimed control circuit flashing the strobe light in coordination with the voice signal. Haus teaches coordinating audio and visual indications in emergency indicators (col1 7-16). Modifying the CPU of Wilker, Dunne, Potter and Watanabe to coordinate the repeated audio and visual indications would not only provide indication to those with disabilities (hearing or sight impaired individuals) but it would reduce confusion among the people who can both see and hear. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wilker, Dunne, Potter and Watanabe according to the teachings of Haus to coordinate the repeated voice signal and the light source by flashing the light source when the voice signal is indicating that the source of the voice signal is an exit.

The white noise generator as taught by Potter is present while the alarm system is functioning and therefore would have inherently been present when the device is broadcasting the voice signal to guide the users to an exit.

Regarding claim 21, the claim is interpreted and rejected as claim 20 stated above. The claimed fire exit alert system comprising an automatic door close for a fire exit door would have been obvious to one of ordinary skill in the art because Wilker discloses mounting the device in many different places including doors and windows as it is well known in the art for fire exit doors, a likely candidate for the installation of the device of Wilker, to have automatic door closers.

Response to Arguments

14. Applicant's arguments filed 13 November 2006 have been fully considered but they are not persuasive. Applicant argues the following:

Argument A: Dunne fails to recognize the problem of normal adults being informed of an exit and therefore fails to suggest a solution to the problem.

Argument B: Dunne does not provide a voice signal to tell the users about a fire exit that they have never been through.

Argument C: Dunne does not teach the key linkage between the information contained in the voice signal and the location of the voice broadcast.

Argument D: The voice signal does not include words that indicate to the user that an exit is located at the location from which the voice signal is being broadcast.

Argument E: Haus does not coordinate the word "here" with the flashing of a light.

Argument F: Potter does not produce a white noise signal nor one that is easily directionally located.

Argument G: Prior art fails to teach the device installed in a fire exit door hardware.

Argument H: the apex of the arrow cone is not located at the fire exit device.

Responses:

Regarding argument A, there is no claimed limitation requiring the device be used specifically for normal adults nor would it be non-obvious to one of ordinary skill in the art to realize that even though Dunne is attempting to solve a problem for children and pets, that the device could be equally as useful to normal adults as well.

Regarding argument B, there is no claimed limitation requiring the device to tell the users about a fire exit that they have never been through and even if there were, the device would be able to be installed in any exit location where the users may or may not have gone through or noticed before.

Regarding argument C, Dunne teaches a voice signal that attracts people to the exit by asking people to "come to and go out the exit" (column 3, lines 26-28). One of ordinary skill in the art would have considered this a key linkage between the location of the voice broadcast and the exit.

Regarding argument D, Dunne teaches a voice signal that attracts people to the exit by asking people to "come to and go out the exit" (column 3, lines 26-28). One of ordinary skill in the art would have considered the voice telling someone to "come to" the exit to include words indicating that the voice was located at the exit.

Regarding argument E, Haus teaches coordinating audio and visual indications in emergency indicators (col1 7-16). One of ordinary skill in the art would have coordinated any desired word, including the word "here" in a sentence such as "the exit is located here, come here to leave", with the visual alarm according to the teachings of Haus.

Regarding argument F, with respect to claims 10 and 31, the previous rejection is withdrawn because Potter does not teach a directionally located white noise generator. However the argument is now moot with respect to those claims because of the new grounds of rejection over McGregor.

With respect to claims 20 and 21, there is no claimed limitation for a directionally located white noise signal and the device of Potter clearly states generating white noise while the device is operating (column 1, lines 39-48 and column 7, lines 3-8).

Regarding argument G, Hunt teaches a fire door system with a latch and complete assembly which would have been obvious to one of ordinary skill in the art to

combine with Wilker in order to have a compact device with all of the elements in a single place which would also help with installation and maintenance.

Regarding argument H, while the apex of the cone in figure 7 is not precisely located at the fire exit door, Watanabe clearly teaches the laser beam converging at the emergency exit in order to guide evacuees towards the door (column 6, lines 6-27).

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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12/26/06